

**\*\*\*DRAFT - NOT FOR FILING\*\*\***

**Rule 3301-48-01 | Intradistrict open enrollment programs.**

(A) ~~General provisions.~~

~~(1) Section 3313.97 of the Revised Code requires that e~~Each city, local, and exempted village board of education ~~must~~ adopt an intradistrict open enrollment policy, ~~effective with the school year that begins July 1, 1993, allowing~~ the district's students to enroll in an alternative school.

~~(2) The intradistrict open enrollment policy shall be adopted pursuant to section 3313.97 of the Revised Code.~~

(B) Student application and admitting procedures and records.

(1) Section 3313.97 of the Revised Code specifies the components to be included in Each school district ~~adopting an~~ intradistrict open enrollment policies. Districts' policies should ~~shall be required to include in the policy, but shall~~ are not be limited to, the following provisions:

(a) A district-wide timeline ~~line~~ for parental information, application process, and notification of acceptance;

(b) Criteria for prioritizing applications for participation in intradistrict open enrollment;

(c) Criteria for establishing district capacity limits by grade level, school building, and educational program; and

**Commented [FH1]:** Global changes are made to reduce regulatory restrictive language consistent with SB 9, 134th GA (ORC 121.95). Additional changes are made to reduce duplication of language set forth in ORC 3313.97, as required by ORC 106.03.

**Commented [FH2]:** Change made for clarity based on stakeholder feedback.

**Commented [FH3]:** Paragraph (A) is revised to streamline language and remove obsolete language.

(d) Procedures to ensure that appropriate racial balance is maintained in the district schools.

(2) Each school district with an intradistrict open enrollment policy is expected to ~~shall~~ maintain, ~~but shall not be limited to, the following~~ records including the following:

- (a) Individual student applications and a summary of those student applications for a school year;
- (b) Evidence of parental informational meetings; and
- (c) Evidence of the notification of parents and school building administrators.

(C) School district monitoring.

(1) Section 3313.97 of the Revised Code specifies that ~~S~~ school districts participating in intradistrict open enrollment are shall ~~to~~ be monitored by the state board ~~Ohio department of~~ education to ensure compliance with. ~~The monitoring process shall determine that the policies, agreements, procedures, and guidelines developed by the school districts are implemented as specified in~~ section 3313.97 of the Revised Code and the district policies.

(2) For monitoring purposes, each school district ~~shall~~ will provide the Ohio department of education the following upon request:

- (a) Written application and admission procedures and the application form used by the district;
- (b) Written procedure for establishing district capacity limits by grade level, school building, and education program;

**Commented [FH4]:** ORC 3313.97 indicates that the "state board" must monitor compliance. The rule language is modified to reflect this, but the change does not have practical effect as the monitoring process is implemented by the department as the state board's administrative arm.

(c) Written procedure to ensure that an appropriate racial balance is maintained in the district schools; and

(d) Access to records as described in paragraph (B)(2) of this rule.

(3) ~~The Ohio department of education monitoring process shall consist of the following:~~

(a) ~~Pursuant to deadlines established by the Ohio department of education, d~~Districts will be required to certify to the Ohio department of education, in the format prescribed by the department, :

(a) ~~T~~That the district is complying with the requirements in section 3313.97 of the Revised Code. Districts will submit this certification within the timeframe established by the department:

(b) Any change made by a school district to its intradistrict open enrollment policy ~~shall be certified to the Ohio department of education~~ within thirty days of the adoption of the resolution approving the change;

(c) Upon request of the department, each district ~~will~~shall report any complaints filed or received regarding its intradistrict open enrollment policy; and

(d) The ~~Ohio department of education~~ may request such documents as necessary to verify that open enrollment policies adopted are being adhered to by the district and complaints are being addressed. This monitoring may also be completed via an on-site visit to the district.

**Authorized By:** [3301.07](#); [3313.97](#)(F)

**Amplifies:** [3313.97](#)

**Five Year Review Date:** 6/28/2023

**Prior Effective Dates:** 7/1/1990, 2/22/2008